

DATE

Ms. Grisela A. Jackson
P.O. Box 50327
New Orleans, LA 70150

**Re: Docket No. 2022-080
Advisory Opinion**

Dear Ms. Jackson:

The Louisiana Board of Ethics, at its April 8, 2022 meeting, considered your request, for an advisory opinion as to whether you may serve on the board of New Orleans College Prep Charter School (“NOCP”) after your service on the Orleans Parish School Board.

FACTS PROVIDED

You served on the Orleans Parish School Board (the “School Board”) as a replacement appointment from June 23, 2020 through December 31, 2020, when your term ended. You would now like to join the board of NOCP, which position you held prior to your service on the School Board.

NOCP is a nonprofit corporation that administers Walter L. Cohen Sr. High School and Hoffman Early Childhood Learning Center. NOCP holds a Type 1 charter issued by the School Board.

NOCP would not be compensating you for your service as a member of the NOCP board.

LAW

La. R.S. 42:1121A(1) provides no former agency head or elected official shall, for a period of two years following the termination of his public service as the head of such agency or as an elected public official serving in such agency, assist another person, for compensation, in a transaction, or in an appearance in connection with a transaction, involving that former agency or render any service on a contractual basis to or for such agency.

La. R.S. 42:1102(9) defines “elected official” to mean any person holding an office in a governmental entity which is filled by the vote of the appropriate electorate, and also includes any person appointed to fill a vacancy in such offices.

ANALYSIS

As a member of the School Board appointed to fill a vacancy, you were an elected official under La. R.S. 42:1102(9), and so La. R.S. 42:1121A(1) shall apply. Accordingly, for a period of two years after your termination of service on the School Board, you may not assist another person, for compensation, in a transaction involving the School Board. As NOCP's charter is issued and under the authority of the School Board, any actions taken by NOCP to comply with its charter would be deemed to involve the School Board.

CONCLUSION

The Board concluded, and instructed me to inform you, that the Code of Governmental Ethics would permit you to serve on the NOCP board and assist in matters involving the District, provided that you are not compensated for such services.

This advisory opinion is based solely on the facts as set forth herein. Changes to the facts as presented may result in a different application of the provisions of the Louisiana Code of Governmental Ethics. The Board issues no opinion as to past conduct or as to laws other than the Louisiana Code of Governmental Ethics, the Campaign Finance Disclosure Act, the Lobbyist Disclosure Acts, and the conflict of interest provisions contained in the Louisiana Gaming Control Law. If you have any questions, please contact me at (800) 842-6630 or (225) 219-5600.

Sincerely,

LOUISIANA BOARD OF ETHICS

Charles E. Reeves, Jr.
For the Board